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Promoting the wise use of land
Helping build great communities

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

MEETING DATE February 4, 2004 EFFECTIVE DATE February 19, 2004	CONTACT/PHONE Elizabeth Kavanaugh 805/788-2010	APPLICANT Robert Miller	FILE NO. DRC2003-00053
SUBJECT A proposal by Robert Miller for a Minor Use Permit to allow grading for an access road and two partial building pads on APN 018-191-019 and 018-191-027, resulting in a total disturbance of approximately 2.5 acres (a majority which has already been completed). The as-graded road branches off 12 th Street/Fern Canyon Road approximately 1,200 feet west of Merry Hill Road, adjacent to the city of Paso Robles, in the Salinas River planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit PMT2003-00053 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A Mitigated Negative Declaration was prepared to offset impacts to: aesthetics, air quality, biological resources, geology and soils, and water.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION Flood Hazard Area	ASSESSOR PARCEL NUMBER 018-191-019, -023, -027, -029, -063 -048, -056, -058, -059	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Planning Impact area –City of Paso Robles <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Grading and Drainage <i>Does the project conform to the Land Use Ordinance Standards: Yes</i>			
Existing Uses As-built road, two single family residences, and a water tank			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on February 19, 2004, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER, SAN LUIS OBISPO, CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/single-family Residences, private accessory equestrian use <i>South:</i> Residential Rural/ single-family Residences		<i>East:</i> Residential Rural/ single-family residences, city of Paso Robles <i>West:</i> Residential Rural/ scattered single-family residences, abandoned almond orchard
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: City of Paso Robles, Public Works, Environmental Health, CDF, and APCD		
TOPOGRAPHY: Moderately to steeply sloping	VEGETATION: Oak woodlands	
PROPOSED SERVICES: Water supply: n/a Solid waste disposal: n/a Fire Protection: CDF	ACCEPTANCE DATE: June 4, 2004	

DISCUSSION

PROJECT HISTORY This road was graded without an approved grading permit to provide access for two residences. It is the subject of enforcement case E030233. The processing of this Minor Use Permit and completion of the conditions of approval are the corrective measure for the violation.

PLANNING AREA STANDARDS: Planning Impact Area –City of Paso Robles
 This area plan standard requires the Planning Department refer all projects proposed in the county, but along the City's perimeter be referred to the City of Paso Robles. A referral of this project was sent to the City of Paso Robles on September 8, 2004. A response from the City was received that indicated erosion from this road has deposited in the city down hill from the site. A sedimentation and erosion control plan is a condition of this project to remedy this problem.

LAND USE ORDINANCE STANDARDS: As conditioned this project meets the standards of Land Use Ordinance Section 22.52 for Grading, Drainage and Sedimentation and Erosion Control.

STAFF COMMENTS: Erosion control, drainage and the visual impact of the road cut/fill slopes as seen from public roads in the area are the main issues related to this project. To address these issues an engineered erosion control plan and drainage plan approved by County Public Works are conditions of approval. In addition, a landscape screening plan showing the use of trees and shrubs along the cut/fill slope of the south and southwestern aspects of the access road is a condition of approval. The intent of the landscape plan is to completely shield views of the access road cut/fill slope from area public roads.

AGENCY REVIEW:

Public Works – Recommend approval, concern with slopes over 12%. Offer to dedicate
 Environmental Health - none

CDF – See fire safety letter dated May 18, 2004

APCD - Air Quality mitigation have been agreed to in a signed developers statement.

City of Paso Robles – Secure an erosion control plan.

Staff report prepared by Elizabeth Kavanaugh and reviewed by Chuck Stevenson, supervising Planner

EXHIBIT A - FINDINGS

Environmental Determination

- A. The proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A Mitigated Negative Declaration was prepared to offset impacts to: aesthetics, air quality, biological resources, geology and soils, and water.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the grading and erosion control measures of this project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed road is similar to area roads and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located off 12 Street/ Fern Canyon Road, a local road, constructed to a level able to handle any additional traffic associated with the project
- G. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and will not create significant adverse effects on the identified sensitive resource, because replacement oak tree planting is required for all impacted oak trees as a condition of approval.
- H. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because an engineered sedimentation and erosion control plan is required prior to issuance of a grading permit.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
 - a. grading for an access road and two building pads resulting in a total disturbance of approximately 2.5 acres (a majority which has already been completed) in accordance with the approved plan.

Conditions required to be completed at the time of application for a grading permit

Site Development

2. **At the time of application for a grading permit**, submit a grading plan and **landscape plan** to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. The applicant shall submit a landscape screening plan showing the use of trees and shrubs along the fill slope of the south and southwestern aspects of the access road. The intent of the landscape plan shall be to completely shield views of the access road cut slope as seen from Peachy Canyon Road. The landscape plan shall be consistent with required County Fire requirements for vegetation clearance within 10 feet of the roadway. This landscape screening plan could be incorporated into the drainage and erosion control plan noted in condition five.

Fire Safety

3. **At the time of application for a grading permit**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated May 18, 2004.

Conditions to be completed prior to issuance of a grading permit

Maintenance

4. **Prior to issuance of a grading permit**, the applicant shall submit a Road Maintenance Agreement that indicates the responsible parties and long term maintenance program for the road, required landscape screening, and erosion and sedimentation control measures.

Drainage

5. **Prior to issuance of grading permit**, the applicant shall submit a drainage plan and erosion and sedimentation control plan pursuant to Sections 22.52.080 and 22.52.090 of the County Land Use Ordinance. The plan shall be implemented prior to, during, and immediately following proposed grading activities.
6. **Prior to issuance of a grading permit**, the applicant shall submit a copy of the Storm Water Pollution Prevention Plan submitted to the State Water Resources Control Board.

Conditions to be completed prior to occupancy or final building inspection or establishment of the use

7. Landscaping in accordance with the approved landscaping plan shall be installed before establishment of the use. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.
8. **Prior to final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
9. **Prior to final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
10. **Prior to issuance of a grading permit**, a grading plan shall be submitted that calls out all recommendations of geo-technical report dated February 20, 2004, prepared by Geotechnical Engineering. All grading and grading related activities shall meet these recommendations.

On-going conditions of approval

Air Quality

11. All construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. Reduce the amount of disturbed area where possible;
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - c. All dirt stock-pile areas should be sprayed daily as needed;
 - d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible; and,
 - e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
12. During initial grading/scraping, burning shall not be allowed, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Biological Resources

13. Prior to final inspection, the applicant shall replace in-kind at a two-to-one ratio, the 22 coast live oak trees, 23 scrub oak trees, and 10 blue oak trees, for a total of 44 coast live oak trees, 46 scrub oak trees, and 20 blue oak trees. Replanting shall be completed as soon as it is feasible while avoiding the summer months (e.g. irrigation water is available, grading done in replant area). Replanting may not occur in the open space area. Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). Replacement oak trees shall be from one-gallon container sizes. All newly planted oak trees shall be maintained until successfully established and living. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring. If new trees are successfully established and living three years after initial planting, no additional monitoring is necessary.

Location of newly planted trees should adhere to the following whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on the north-facing slopes; within drainage swales (except when riparian habitat is present); where topsoil is present; and away from continuously wet areas (e.g. lawns and leach lines). Once trees have been planted and prior to final inspection of grading permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryperson, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

14. To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees until successfully established and living, on an annual basis, for no less than three years. If new trees are successfully established and living three years after initial planting, no additional monitoring is necessary. The first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the newly planted vegetation is successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report and approved by the Environmental Coordinator.

The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done

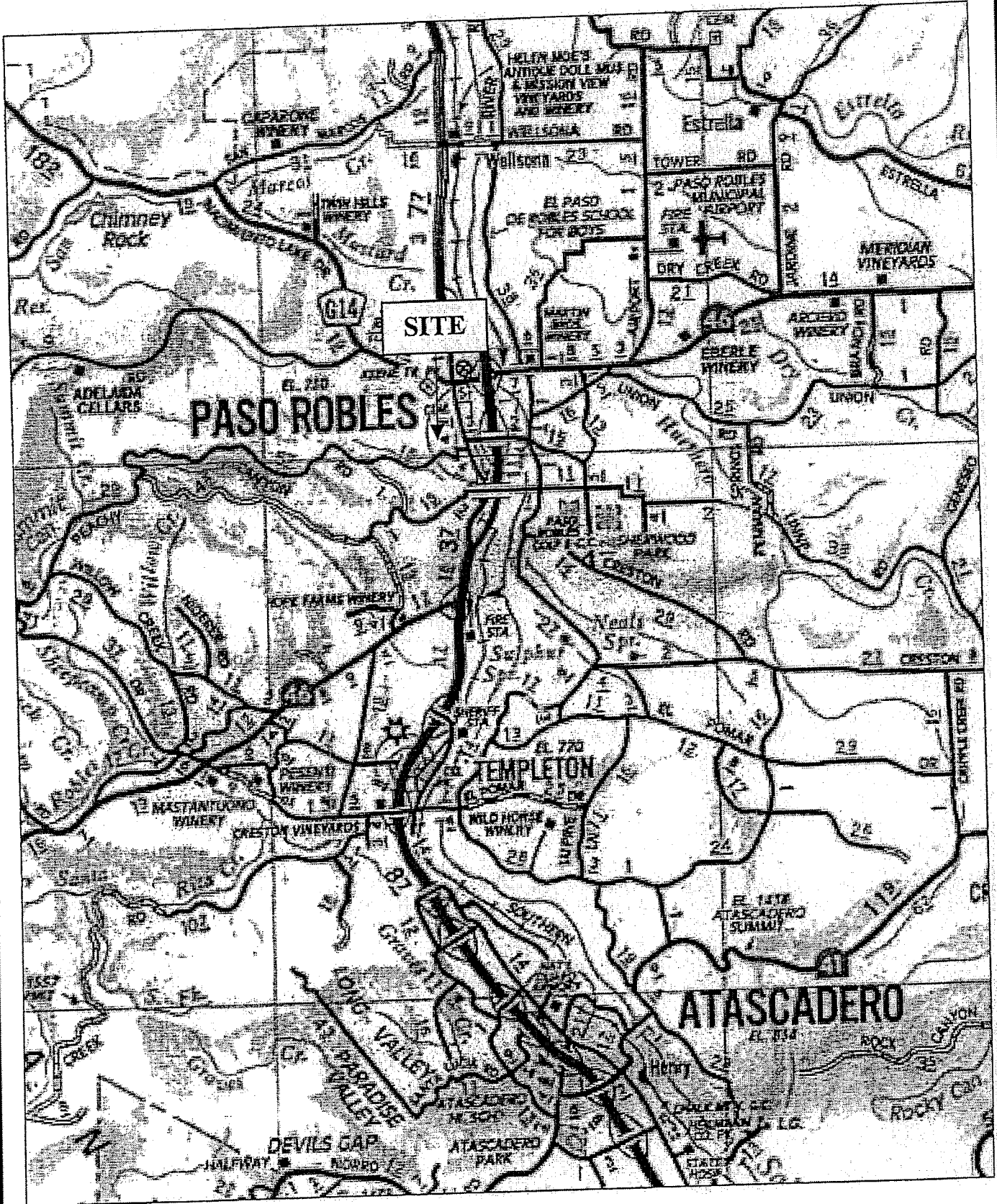
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only during the winter for deciduous species. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

15. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a grading permit has been issued and substantial site work has been completed.
16. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

MINOR USE PERMIT
MILLER DRC2003-00053



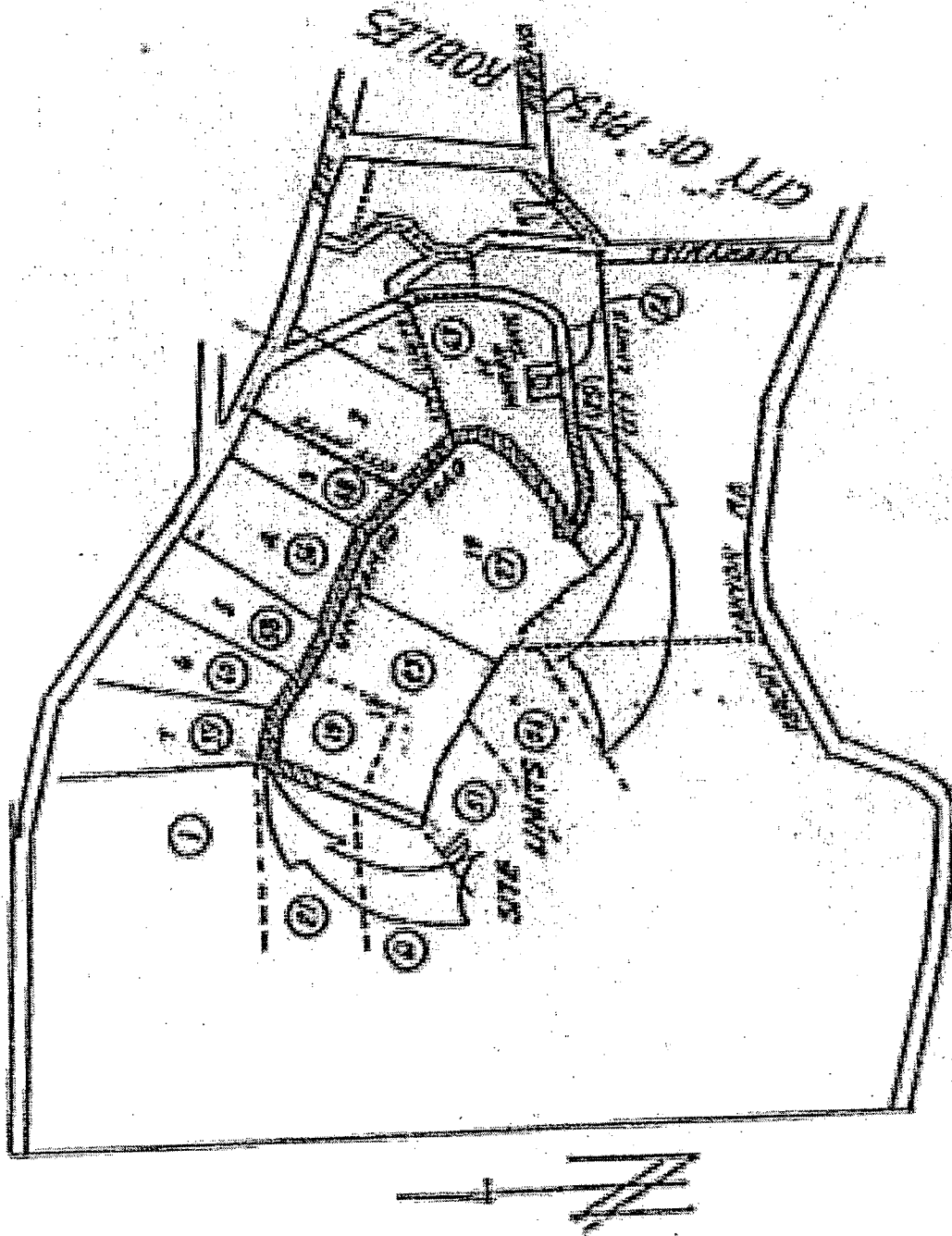
EXHIBIT

VICINITY MAP



EXHIBIT

LAND USE CATEGORY MAP



VICINITY MAP
NO SCALE

EXHIBIT

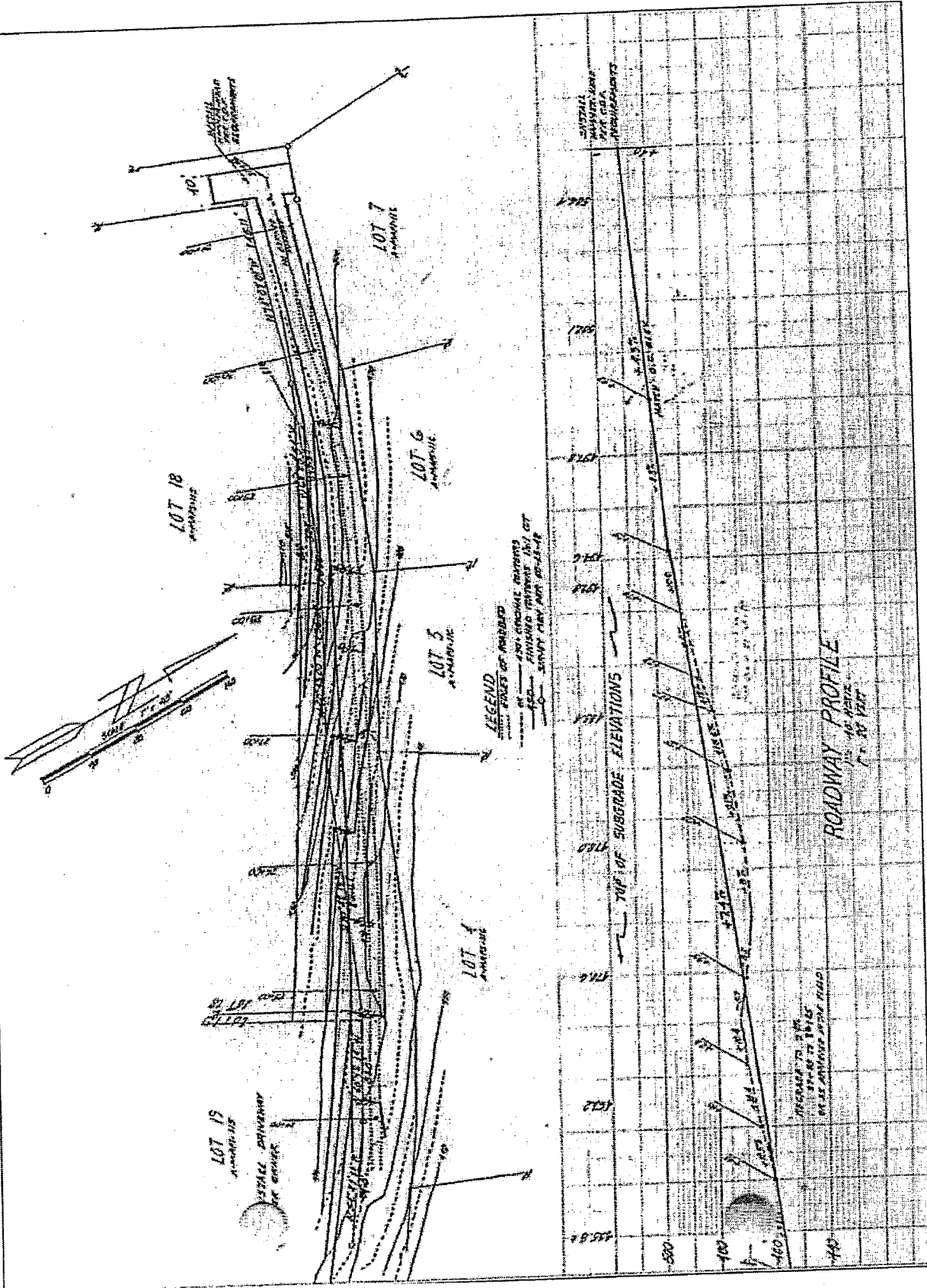
OVERALL SITE PLAN



PROJECT

MINOR USE PERMIT
MILLER DRC2003-00053

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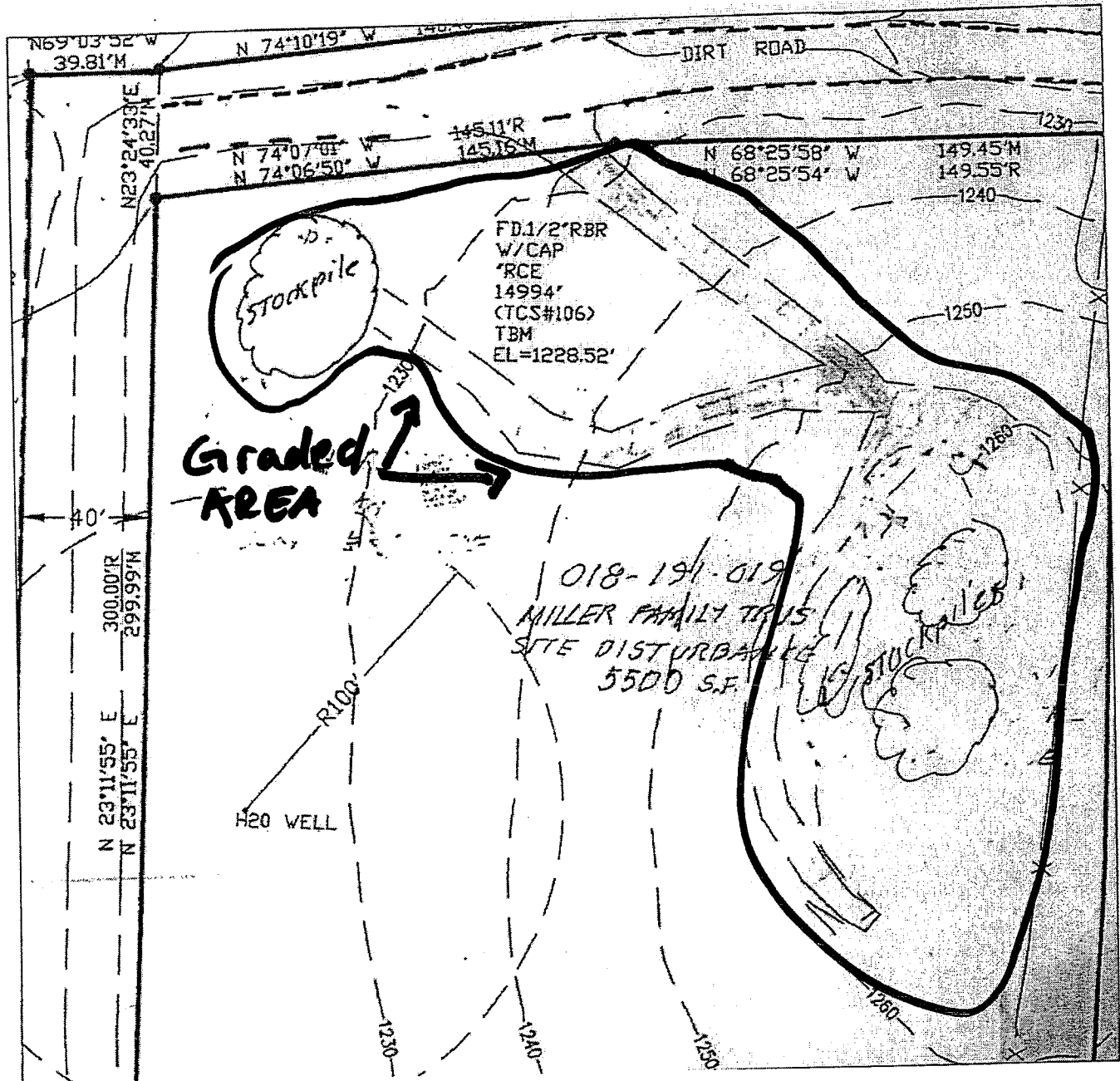


HAIRPIN CURVE GRADING PLAN

PROJECT MINOR USE PERMIT
MILLER DRC2003-00053

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



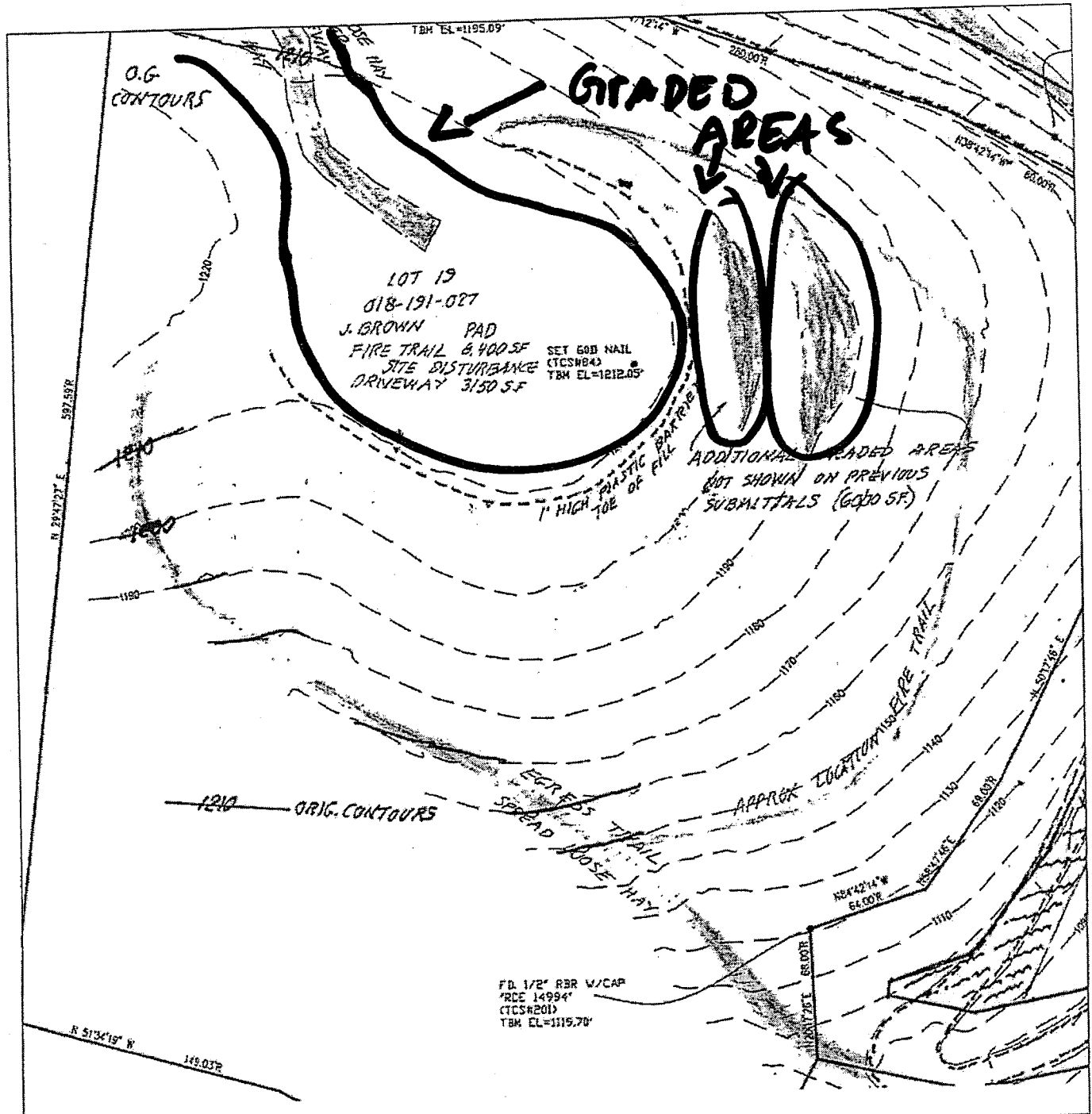
PROJECT
MINOR USE PERMIT
MILLER DRC2003-00053



EXHIBIT
AS-GRADED PLAN LOT 18

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT
MINOR USE PERMIT
MILLER DRC2003-00053



EXHIBIT
GRADED PLAN LOT 19

NOTICED Dec 16th

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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (EK)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED03-413

DATE: December 16, 2004

PROJECT/ENTITLEMENT: Miller Minor Use Permit and Grading Permit; DRC2003-00053

APPLICANT NAME: Robert Miller

ADDRESS: 310 North Main Street Templeton, CA 93465

CONTACT PERSON: Same as applicant

Telephone: (805) 434-1888

PROPOSED USES/INTENT: Request to allow for grading of two residential building pads and an access road that has been mostly graded, which will result in the disturbance of approximately 2.5 acres on a 42 acre parcel

LOCATION: On the south side of 12 Street and Fern Canyon Road, approximately 1,200 feet west of Merry Hill Road, adjacent to the City of Paso Robles.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: State Water Resources Control Board

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on December 30, 2004
(Circle one) 20-DAY 30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☒ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature	Title	Date	Public Agency
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California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Miller Minor Use Permit and Grading Permit; ED03-413

Project Applicant Robert Miller
Address: Rte 1, Box 22
City, State, Zip Code: Templeton, CA 93465
Telephone #: (805) 434-1888

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination


FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____.
- ☐ Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 12/01/04



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- DETERMINATION:** (To be completed by the Lead Agency)

☐ On the basis of this initial evaluation, the Environmental Coordinator finds that:
The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- MORRO GROUP, INC.
Prepared by(Print)

Signature _____

11/01/04
Date

Steven McMaster
Reviewed by(Print)

Signature

Ellen Carroll,
Environmental Coordinator
(for)

11/19/04
Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: - Proposal by Robert Miller for a Minor Use Permit and Grading Permit to allow grading for an access road and two building pads resulting in the total disturbance of approximately 2.5 acres (a majority of which has already been completed). The as-graded road branches off 12 Street/Fern Canyon Road approximately 1,200 feet west of Merry Hill Road, adjacent to the City of Paso Robles, in the Salinas River planning area.

ASSESSOR PARCEL NUMBERS: 018-191-019, -023, -027, -029, -063, -048, -056, -058, -059 **SUPERVISORIAL DISTRICT #:** 1

B. EXISTING SETTING

PLANNING AREA: Salinas River, rural and Paso Robles

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): Flood Hazard

EXISTING USES: Access road, two single-family residences, water tank

TOPOGRAPHY: Moderately to steeply sloping

VEGETATION: Coast live, scrub, and blue oak trees, almond trees, manzanita, scrub

PARCEL SIZE: 42 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Rural/ single-family residences, private accessory equestrian use

South: Residential Rural/ single-family residences

East: Residential Rural/ single-family residences, City of Paso Robles

West: Residential Rural/ scattered single-family residences, abandoned almond orchard

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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1. AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located on a hillside at the terminus of 12th Street, immediately west of the City of Paso Robles. The topography of the project site ranges from gently to steeply sloping. Surrounding vegetation includes abandoned almond trees, coast live oak trees (*Quercus agrifolia*), scrub oak trees (*Quercus dumosa*), blue oak (*Quercus douglasii*), big-berry manzanita, and scrub. Existing development includes one City-owned water tank, and three single-family residences and associated development.

Impact. The proposed project consists of approximately two acres of grading (a majority of which has already been completed) for improvements to an access road, and 17,500 square feet (0.4 acre) of grading on Lot 19, and 5,500 square feet (0.13 acre) of grading on Lot 18 for driveways and building pads. Additional grading required to improve the road to California Department of Forestry/County Fire standards would occur within previously disturbed areas.

The project site is a hillside visible from Spring Street within the City of Paso Robles and Peach Canyon Road. Cut slopes created by previous grading activity are bare and very light (almost white) in color. The portion of the graded road and associated cut slopes along the southern aspect of the hillside are visible from the travel lanes of Peachy Canyon Road, both eastbound (two seconds) and westbound (three seconds). Vegetation including mature oak trees adjacent to the northern right-of-way on Peachy Canyon Road shields a majority of views. Existing development, intervening topography, and oak woodland vegetation obscures views of the road cut slope from public roads, including Spring Street, in the City of Paso Robles. The existing water tank is partially visible from 13th Street, however, existing vegetation on the eastern fill slopes of the road shield views from the City. Compliance with County Fire vegetation clearance measures would not diminish the existing screening capabilities of the vegetation on the hillside. The applicant is not currently proposing to construct single-family residences on Lots 18 and 19. Implementation of completed grading on the access road resulted in the creation of light-colored cut slopes visible from Peachy Canyon Road, resulting in a potentially significant impact.

Mitigation/Conclusion. To minimize the visibility of cut slopes as seen from Peachy Canyon Road, the applicant has agreed to submit and implement a restoration plan including the planting of coast live oak trees and native scrub vegetation along the southern aspect slope of the affected hillside. Implementation of this measures would mitigate existing and potential visual impacts to a level of insignificance.

2. AGRICULTURAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located within the Residential Rural land use category. Surrounding land use category is Residential Rural. The project site is located within an area historically supporting an almond orchard, which has since been abandoned. The project site does not currently support agricultural uses. Surrounding land uses include scattered single family residences and private support agricultural uses. Surrounding land uses include scattered single family residences and private accessory equestrian uses. Implementation of the proposed project does not and would not preclude incorporation of agricultural accessory uses, such as private equestrian facilities. The soil types mapped for the project site by the Natural Resources Conservation Service (NRCS) include: Linne-Calodo (9-75% slope), Santa Lucia-Gazos complex (50-75% slope), and Nacimiento silty clay loam (9-30% slope). As described in the NRCS Soil Survey, these soil types are considered Class IV-VII for "non-irrigated" soil, and Class IV for "irrigated" soil.

Mitigation/Conclusion. Based on the project site and surrounding residential land use categories, lack of agricultural uses on the project site, and lack of prime agricultural soils, implementation of the proposed project would not result in significant impacts to agricultural resources.

3. AIR QUALITY - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. In 1989, the State Air Resources Board designated San Luis Obispo County a non-attainment area for exceeding the State's air quality standards set for ozone and dust (small particulate matter or PM10). In 2003, the State ARB determined that the county was in attainment for ozone. Based on the

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latest air monitoring station information (per the County's RMS annual report, 2003), the trend in air quality in the general area is improving.

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Impact. Previous grading activities resulted in the disturbance of approximately 108,388 square feet (2.5 acres) and 10,930 cubic yards of cut and fill. This resulted in both short-term vehicle emissions (which helps create ozone) and the creation of dust during construction. Based on Table 1-1 of the CEQA Air Quality Handbook, the project generated less than 10lbs/day of emissions, and did not exceed PM10 (fugitive dust) thresholds. The majority of grading is complete, and future improvements would occur in previously disturbed areas. Although the proposed improvements would not exceed APCD thresholds for dust mitigation, the generation of dust would result in a nuisance potentially affecting surrounding scattered single family residences. In addition, any vegetation burning associated with the proposed project would generate air quality emissions.

Mitigation/Conclusion. The applicant has agreed to incorporate standard APCD dust control measures including the use of water trucks to spray down disturbed soils, the use of covers on soil stockpiles, limiting vehicle speeds to 15 miles per hour or less, and revegetation of disturbed unpaved areas. In addition, the applicant has agreed to obtain a burn permit prior to initiation of vegetation burning. Implementation of these measures would mitigate potential air quality impacts to less than significant.

4. BIOLOGICAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is dominated by an abandoned almond orchard, coast live oak trees, scrub oak trees, blue oak trees, big-berry manzanita, and scrub. There are no riparian or wetlands areas onsite, or immediately adjacent to the project site.

Sensitive Species. The California Natural Diversity Database (2003) identified shining navarretia (*Navarretia nigelliformis* ssp. *radians*) within close proximity of the proposed project site. The proposed project site is within the Carrizo vernal pool region, but contains no specifically identified vernal pool habitats. Shining navarretia is an annual herb, California Native Plant Society (CNPS) List 1B (rare, threatened, or endangered in California and elsewhere) species, which blooms from May to July. This species prefers cismontane woodland, valley and foothill grassland, and vernal pools, which are not

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present onsite. No individuals of this species were observed during site visits conducted in April and July. Based on the lack of suitable habitat, it is unlikely this species is present.

Native and/or Important Vegetation. The proposed project site supports coast live oak trees and blue oak trees.

Impact. Previous, and proposed, grading activities associated with the access road resulted in impacts to 22 coast live oak trees, 23 scrub oak trees, and 10 blue oak trees. Impacts included grading within the root zones of these trees, placing fill material under the canopy of these trees, and changing the natural drainage pattern around the roots of these trees. The applicant did not remove, and is not proposing the removal of, any oak trees.

Mitigation/Conclusion. To mitigate for the impacts to 22 coast live oak trees, 23 scrub oak trees, and 10 blue oak trees, the applicant has agreed to a 2:1 in-kind replacement ratio for all impacted trees, for a total replacement count of 44 coast live oak trees, 46 scrub oak trees, and 20 blue oak trees. The trees shall be planted and maintained by the applicant, pursuant to the specifications listed in Exhibit B of this document. Implementation of the measures described above and listed in Exhibit B would mitigate potential impacts to a level of insignificance.

5. CULTURAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project is located in an area historically occupied by the Obispeño Chumash and Southern Salinan. Two surveys conducted within one mile of the project site yielded negative results. The proposed project site is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation (i.e., rock outcrops, unique geologic formations, or sources of surface water). No evidence of cultural materials were noted onsite and no impacts are anticipated. In addition, no historical structures are present and no paleontological resources are known to exist in the area. Improvements are proposed within previously disturbed areas. Impacts to cultural resources are not expected and no mitigation is necessary.

Mitigation/Conclusion. Based on the lack of features typically associated with prehistoric occupation, and lack of noted resources within areas previously disturbed by grading activities, it is unlikely that significant cultural resources are present onsite. In the event cultural resources are unearthed during grading or site disturbance activities, the applicant is required by County Ordinance Section 22.10.040 to halt work and contact the County of San Luis Obispo.

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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6. GEOLOGY AND SOILS -*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Geology. The topography of the project ranges from gently to steeply sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered moderate to high. The liquefaction potential during a ground-shaking event is considered low to moderate. A potentially active fault, the San Marcos Segment, runs beneath the project site, running from the southeast to the north. The project is not located within a known area containing serpentine rock. Two geotechnical engineering reports were prepared for the project site by Buena Geotechnical Services, LLC. The first report appears to have been completed prior to initiation of grading activities on the access road (June 12, 2002), and the second report appears to have been completed following grading activities on the access road (February 20, 2004). Based on the results of the most recent report, no significant geologic hazards were identified.

Drainage. One seasonally-intermittent unnamed tributary to the Salinas River is located along the northern boundary of the project site, immediately south of Fern Canyon Road. A second seasonally-intermittent tributary to the Salinas River is located immediately southwest of the project site, immediately northeast of Peachy Canyon Road. The area proposed for development is within the 100-year Flood Hazard designation. As described in the NRCS Soil Survey, the soils mapped for the project site are Linne-Calodo (9-75% slope), Santa Lucia-Gazos complex (50-75% slope), and Nacimiento silty clay loam (9-30% slope). These soils are considered not well drained. Construction of a road up a steeply sloping hillsides interferes with existing drainage patterns, and evidence of rill erosion caused by on and off-site storm water drainage flow was observed.

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Sedimentation and Erosion. The soil types mapped for the project site are described in the NRCS Soil Survey as having a low to moderate erodibility and low to moderate shrink-swell characteristic. Based on observations made during site visits conducted in April and July of 2004, the soil types are highly erodible. Some erosion control measures were implemented by the applicant including the use of hay bale structures. The applicant proposes to implement additional measures including hydroseeding and mulching.

Mitigation/Conclusion.

Geology. Standard recommendations are presented in the geotechnical engineering report, including recommendations for cut and fill slopes, drainage diversions, soil compaction, and plan and field check review by a qualified geotechnical engineer (February 20, 2004). Based on the results of the geotechnical reports, there is no evidence that measures above what will already be required by ordinance or code are needed.

Drainage. The applicant is required by Section 22.52.080 of the County Land Use Ordinance to submit a drainage plan including measures to control off-site storm water runoff such that the flow off-site does not exceed historic flow rates, and that drainage flow does not cause erosion and sedimentation. No specific measures above what will already be required by ordinance or code are considered necessary.

Sedimentation and Erosion. The applicant is required by Section 22.52.090 of the County Land Use Ordinance to submit an erosion and sedimentation control plan consisting of both graphic and narrative descriptions including the nature, extent, location and placement of erosion and sedimentation control measures shown on the grading plan, or on a separate plan. Based on implementation of proposed measures (hydroseeding and mulching), and additional measures shown on the required erosion and sedimentation control plan, impacts would be mitigated to less than significant.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located on a hillside immediately adjacent to the City of Paso Robles. Surrounding development includes single family residences. There are no known hazardous waste sites underlying or in the vicinity of the project area. The proposed project is within a moderate fire hazard severity area. The proposed project was reviewed by Mr. Clinton Bullard with the California Department of Forestry/County Fire (CDF). Mr. Bullard submitted a response letter stating that standard conditions for the access road, including a width of 18 feet, paving, a hammerhead turnaround,

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and 10-foot vegetation clearance on each side of the road (May 18, 2004). Vegetation clearance includes fast-burning shrubs and grasses, and trimming of trees up to six feet. Prior to operation of the road, CDF will conduct a final inspection.

In addition to these standard conditions, the applicant is required to redesign a portion of the road that has a hair-pin curve design. The applicant submitted revised plans (September 30, 2004) showing a widening of the curve at this location to accommodate a fire truck. Mr. Bullard reviewed and signed approval on the plans (October 7, 2004).

Mitigation/Conclusion. Based on implementation of standard requirements and CDF approval of the road design, no significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project is located in the immediate vicinity of 12th Street, Fern Canyon Road, and Peachy Canyon Road, which currently generate minimal noise in the area. The topography between the road and the site consists of a moderately to steeply sloping hillside. The project consists of improvements to an as-graded road, and does not include the construction of any residences or structures. During construction activities, the applicant is required to comply with noise limits, pursuant to the County of San Luis Obispo Noise Element. No specific measures above what would be required by ordinance or code are considered necessary.

Mitigation/Conclusion. The proposed project would not expose people to noise levels exceeding the County Noise Element thresholds, and would not result in a significant increase in noise affecting adjacent residential areas. No mitigation measures are necessary.

9. POPULATION/HOUSING - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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9. POPULATION/HOUSING -

Will the project:

- | | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|--------------------------------|-------------------------------------|--------------------------|
| d) Use substantial amount of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting/Impact. The proposed project consists of improvements to an as-graded road and would not result in a need for a significant amount of new housing or displace existing housing. No significant population and housing impacts are expected to occur, therefore no mitigation measures are warranted.

10. PUBLIC SERVICES/UTILITIES -

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

- | | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|--------------------------------|-------------------------------------|--------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection (e.g., Sheriff, CHP)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Solid Wastes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting/Impact. The project area is served by the County Sheriff's Department and California Department of Forestry/County Fire (CDF) as the primary emergency responders. The closest CDF fire station is the Paso Robles station, located approximately 1.5 miles from the proposed project site. The closest Sheriff substation is in Templeton, located approximately nine miles from the proposed project site. The proposed project is located in the Paso Robles Joint Unified School District. This proposed project involves improvements to an as-graded road, which currently provides access to three existing single family residences.

Mitigation/Conclusion. No impacts to public services or utilities are anticipated and no mitigation measures are necessary.

11. RECREATION - Will the project:

- | | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|--|--------------------------|--------------------------------|-------------------------------------|--------------------------|
| a) Increase the use or demand for parks or other recreation opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Affect the access to trails, parks or other recreation opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Other _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Setting/Impact. The County Trails Plan does not show a future trail being considered on the proposed project site. The project is not proposed in a location that would affect any trail, park, or other recreational

resource and would not create a significant need for additional park or recreational resources.

12. TRANSPORTATION/ CIRCULATION - Will the project:

- Setting/Impact.** The proposed project site is accessed from 12th Street, a two lane residential road that extends west from Spring Street. 12th Street turns into Fern Canyon Road immediately north of the project site. Implementation of the proposed project would involve improvements to an as-graded access road that provides access to three existing single-family residences. Implementation of the proposed project would not change existing road service levels or result in any significant safety hazards.

13. WASTEWATER - Will the project:

-

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13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project would not require the construction or use of wastewater facilities. The applicant is proposing to improve an as-graded access road. Based on the proposed project, no impacts resulting from wastewater would occur and no mitigation measures are necessary.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Surface Water. One seasonally-intermittent unnamed tributary to the Salinas River is located along the northern boundary of the project site, immediately south of Fern Canyon Road. A second seasonally-intermittent tributary to the Salinas River is located immediately southwest of the project site, immediately northeast of Peachy Canyon Road. Implementation of the proposed project would include grading and site disturbance, which may result in soil erosion and down-gradient discharge of sediment into nearby tributaries to the Salinas River.

Water Usage. Implementation of the proposed project would not require the use of water resources. Revegetation activities would require initial deep watering of oak trees. Existing wells located on-site could be used for watering of revegetation areas if necessary.

Mitigation/Conclusion. In addition to the erosion and sedimentation control plan required by the County Land Use Ordinance, the applicant is required to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the State Water Resources Control Board (SWRCB). Implementation of these approved plans would mitigate potential water quality impacts to less than significant.

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15. LAND USE - Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be potentially incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (Title 22, County Land Use Ordinance, Salinas River Area Plan). The proposed project was found to be consistent with these documents. The proposed project is not within or adjacent to a Habitat Conservation Plan area. The surrounding uses include single family residences and agricultural accessory uses (private equestrian facilities).

Mitigation/Conclusion. Initial grading activities were completed without a grading permit, resulting in a violation. The project is currently subject of an enforcement action, and the proposed project is intended to remediate impacts caused by prior grading activities and complete proposed grading activities. No further inconsistencies were identified with the proposed project and therefore no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ceqa/guidelines/" for information about the California Environmental Quality Act.

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mup 120904.wpd

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an "X") and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<u>X</u>	County Public Works Department	Attached
<u>—</u>	County Environmental Health Division	Not Applicable
<u>—</u>	County Agricultural Commissioner's Office	Not Applicable
<u>—</u>	County Airport Manager	Not Applicable
<u>—</u>	Airport Land Use Commission	Not Applicable
<u>—</u>	Air Pollution Control District	Not Applicable
<u>—</u>	County Sheriff's Department	Not Applicable
<u>—</u>	Regional Water Quality Control Board	Not Applicable
<u>—</u>	CA Coastal Commission	Not Applicable
<u>—</u>	CA Department of Fish and Game	Not Applicable
<u>X</u>	CA Department of Forestry	Attached
<u>—</u>	CA Department of Transportation	Not Applicable
<u>—</u>	Community Service District	Not Applicable
<u>X</u>	City of Paso Robles	Attached

* "No comment" or "No concerns"-type responses are usually not attached

The following checked ("✓") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

✓ Project File for the Subject Application County documents

- ✓ Airport Land Use Plans
- ✓ Annual Resource Summary Report
- Building and Construction Ordinance
- Coastal Policies
- ✓ Framework for Planning (Coastal & Inland)
- ✓ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
 - ✓ Agriculture & Open Space Element
 - ✓ Energy Element
 - ✓ Environment Plan (Conservation, Historic and Esthetic Elements)
 - ✓ Housing Element
 - ✓ Noise Element
 - ✓ Parks & Recreation Element
 - ✓ Safety Element
- ✓ Land Use Ordinance
- Real Property Division Ordinance
- ✓ Trails Plan
- Solid Waste Management Plan

✓ Salinas River Area Plan and Update EIR

— Circulation Study

Other documents

- ✓ Archaeological Resources Map
- ✓ Area of Critical Concerns Map
- ✓ Areas of Special Biological Importance Map
- ✓ California Natural Species Diversity Database
- ✓ Clean Air Plan
- ✓ Fire Hazard Severity Map
- ✓ Flood Hazard Maps
- ✓ Natural Resources Conservation Service Soil Survey for San Luis Obispo County
- ✓ Regional Transportation Plan
- ✓ Uniform Fire Code
- ✓ Water Quality Control Plan (Central Coast Basin - Region 3)
- Other _____
- Other _____

In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Buena Geotechnical Services, LLC. June 12, 2002. *Geotechnical Engineering Report.*
Buena Geotechnical Services, LLC. February 20, 2004. *Geotechnical Engineering Report.*

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Exhibit B - Mitigation Summary Table

Aesthetics

- V-1 Prior to issuance of grading permit, the applicant shall submit a landscape screening plan showing the use of trees and shrubs along the fill slope of the south and southwestern aspects of the access road. The intent of the landscape plan shall be to completely shield views of the access road cut slope as seen from Peachy Canyon Road. The landscape plan shall be consistent with required County Fire requirements for vegetation clearance within 10 feet of the roadway. The landscape plan shall be implemented prior to final inspection.

Air Quality

- AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
- a. Reduce the amount of disturbed area where possible;
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
 - c. All dirt stock-pile areas should be sprayed daily as needed;
 - d. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible; and,
 - e. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- AQ-2 During initial grading/scraping, burning shall not be allowed, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Biological Resources

- BR-1 Prior to final inspection, the applicant shall replace in-kind at a two-to-one ratio, the 22 coast live oak trees, 23 scrub oak trees, and 10 blue oak trees, for a total of 44 coast live oak trees, 46 scrub oak trees, and 20 blue oak trees. Replanting shall be completed as soon as it is feasible while avoiding the summer months (e.g. irrigation water is available, grading done in replant area). Replanting may not occur in the open space area. Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). Replacement oak trees shall be from one-gallon container sizes. All newly planted oak trees shall be maintained until successfully established and living. This shall include caging from animals (e.g., deer and rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used. All trees shall be tagged and numbered for future monitoring. If new trees are successfully established and living three years after initial planting, no additional monitoring is necessary.

Location of newly planted trees should adhere to the following whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on the north-facing slopes;

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within drainage swales (except when riparian habitat is present); where topsoil is present; and away from continuously wet areas (e.g. lawns and leach lines). Once trees have been planted and prior to final inspection of grading permits, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryperson, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

- BR-2 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees until successfully established and living, on an annual basis, for no less than three years. If new trees are successfully established and living three years after initial planting, no additional monitoring is necessary. The first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the newly planted vegetation is successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report and approved by the Environmental Coordinator.
- BR-3 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Geology and Soils

- GS-1 Prior to issuance of grading permit, the applicant shall submit a drainage plan and erosion and sedimentation control plan pursuant to Sections 22.52.080 and 22.52.090 of the County Land Use Ordinance. The plan shall be implemented prior to, during, and immediately following proposed grading activities.

Water

- W-1 Prior to issuance of grading permit, the applicant shall submit a copy of the Storm Water Pollution Prevention Plan submitted to the State Water Resources Control Board.

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